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Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT FAIRBANKS**

ROBERT PROBERT and LORETTA E.

PROBERT, and others similarly situated,

Plaintiffs,

vs.

**FAMILY CENTERED SERVICES OF
ALASKA, INC. and DOES I to X**, (Managerial
Employees Jointly Liable)

Defendants.

Case No. 4:07-cv-00030-RRB

MOTION TO STRIKE AFFIDAVIT OF KATHY L. CANNONE AT DOCKET 161

This case is Stayed, see Docket 129, page 2. Defendant's Affidavit should not have been filed. It is filed in violation of Local Rule 7.1(h)(2). Additional facts should not be filed without leave of the Court.

Additionally these alleged facts are irrelevant. The question of whether or not Defendant can only operate if it violates federal law is irrelevant to this court. If Defendant wishes to make such an argument, it should be addressed to Congress. For all

the reasons 1) the case is Stayed, 2) it is filed without ordered leave of the Court, 3) it is irrelevant. Plaintiffs move the Court to Strike this Affidavit. Further, this Motion was only precipitated by Defendants' suggestion that their one illegal action of filing this Affidavit back in July supports their next illegal action of filing the Motion to Dismiss Deborah Coxon from the case.

RESPECTFULLY SUBMITTED this 31st day of January, 2011, Fairbanks,
Alaska.

LAW OFFICES OF KENNETH L. COVELL
Attorney for the Plaintiffs

By: /s/ Kenneth L. Covell
KENNETH L. COVELL
ABA Bar No. 8611103

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been
Served electronically, via ECF, to the following party(s):

John Foster Wallace

Richard D. Monkman

Dated: 01/31/2011

By: /s/ Camille De Santiago
Camille De Santiago for Kenneth L. Covell